

Appl. No. 10/502,141
Amendment and/or Response
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Amendments to the Drawing Figures:

The attached drawing sheet(s) include proposed changes to FIG. 4 and replaces the original sheet including FIG. 4.

Attachment: Replacement Sheet(s)

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REMARKS / DISCUSSION OF ISSUES

Claims 1-8 and 10-20 are pending in the application. Claims 16-20 are newly added.

The applicants thank the Examiner for acknowledging the claim for priority, and request that the Examiner acknowledge receipt of certified copies of all the priority documents.

The applicants thank the Examiner for providing information about recommended section headings. However, the applicants respectfully decline to add the headings. Section headings are not statutorily required for filing a non-provisional patent application under 35 USC 111(a), but are only guidelines that are suggested for applicant's use. (See Miscellaneous Changes in Patent Practice, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No: 950620162-6014-02] RIN 0651-AA75 ("Section 1.77 is permissive rather than mandatory. ... [T]he Office will not require any application to comply with the format set forth in 1.77").

Claims are amended for non-statutory reasons: to correct one or more informalities, remove figure label numbers, and/or to replace European-style claim phraseology with American-style claim language. The claims are not narrowed in scope and no new matter is added.

New dependent claims are added to at least partially restore the original range of claims that existed before multiple dependencies were removed in the preliminary amendment. No new matter is added.

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The Office action objects to claims 9 and 10; claim 9 is canceled and claim 10 is correspondingly amended.

The Office action objects to claims 6-8 for being in improper multiple dependent form. The applicants note that a preliminary amendment was filed on 20 July 2004, removing the multiple dependencies.

The Office action objects to FIGs. 1-4. A replacement sheet for FIG. 4 is attached herein. The applicants respectfully traverse the objection to FIGs. 1-3. If this objection is maintained, the applicants respectfully request an explanation regarding the Examiner's lack of understanding of these figures.

The Office action rejects claims 1-5 under 35 U.S.C. 101. The applicants respectfully traverse this rejection.

35 U.S.C. 101 states:

"Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title."

The applicants claim a method that inserts correction data into stream data. The applicants respectfully maintain that inserting correction data into stream data is a new and useful process, and therefore patentable under 35 U.S.C. 101.

The applicants request an explanation of the paragraph at the top of page 6, because it appears not to have any bearing to the aforementioned rejection under 35 U.S.C. 101.

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The Office action rejects claims 1-15 under 35 U.S.C. 102(e) over Katsavounidis et al. (USP 2005/0105614, hereinafter Katsavounidis). The applicants respectfully traverse this rejection.

The Examiner's attention is requested to MPEP 2131, wherein it is stated:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1, upon which claims 2-8 depend, claims a method that includes determining whether an error exists in stream data based on the stream data and an information file associated with the stream data, and determining a file offset and size of the error in the stream data based on the information file.

In like manner, claim 10, upon which claims 16-20 depend, and claim 11, upon which claims 12-15 depend, claim determining an offset and size of an error based on an information file associated with stream data.

Katsavounidis fails to teach an information file associated with the stream data, fails to teach determining an offset of an error based on the information file, and fails to teach determining a size of the error based on the information file.

The Office action asserts that paragraphs [0075], [0076], and [132] of Katsavounidis provides this teaching. The applicants respectfully disagree with this assertion, and note that an information file associated with the stream data is not referenced in these paragraphs. The Office action fails to identify an element in Katsavounidis that corresponds to the applicants' claimed information file. The applicants respectfully request that the examiner specifically identify which element or feature in paragraphs [0075], [0076], and [0132] allegedly corresponds to the applicants' claimed information file, in view of MPEP section 707(c)(2).

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Because Katsavounidis fails to teach an information file associated with the stream data, and fails to teach determining an offset and size of the error based on the information file, as specifically claimed in claim 1, the applicants respectfully maintain that the rejection of claims 1-8 and 10-15 under 35 U.S.C. 102(e) over Katsavounidis is unfounded, per MPEP 2131.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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